

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MICHAEL C. GEDDINGS, )  
                          )  
                          )  
Plaintiff,            )  
                          )  
                          )  
v.                     )       1:15CV181  
                          )  
                          )  
SCOTLAND CORRECTIONAL )  
INSTITUTION,            )  
                          )  
                          )  
Defendant.            )

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on March 5, 2015, was served on the parties in this action. (Doc. 2.) Petitioner objected to the Recommendation. (Doc. 5.)

The court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection was made and has made a *de novo* determination which is in accord with the Magistrate Judge's Recommendation. The court therefore adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that this action be dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Recommendation. A judgment dismissing this action will be entered contemporaneously with this Order.

This, the 7<sup>th</sup> day of April, 2015.

/s/ Loretta C. Biggs  
United States District Judge